

NOT FOR CITATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALCUIN OREGANA,

Defendant.

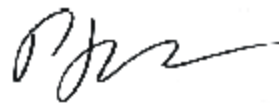
No. C 02-388 PJH

**ORDER REQUIRING GOVERNMENT
RESPONSE TO DEFENDANT'S
MOTION TO EXCLUDE EXPERT
TESTIMONY OF
TOOLMARK EXAMINER**

In its pretrial papers submitted December 5, 2005, the government notified the court that it intends to introduce testimony from toolmark examiner, Terry L. Coddington. Previously, the defendant filed a motion to exclude the testimony on *Daubert* grounds. The government did not respond to the motion on the merits, but simply asserted that the parties had decided to put the issue "on hold." Since the testimony is now at issue, the government is ordered to file and serve a response on the merits **no later than noon on Friday, December 9, 2005.** Given the deadlines in the case, **no reply will be permitted.**

IT IS SO ORDERED.

Dated: December 6, 2005



PHYLLIS J. HAMILTON
United States District Judge